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NOTE: The letter below was originally filed on paper with the Commission in October 2011, and we understand it has never reached public record.

Thus we are submitting our response electronically at this time to comply with the Request for Additional Information (RAI).

October 31, 2011

Brian Jones
Campaign Finance Analyst
Reports Analysis Division
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re:C00295527

Reply to your September 27, 2011 correspondence concerning CU-PVF's

Amended Monthly Report covering March 1, 2011 ? March 31, 2011

Dear Mr. Jones:

I write in reply to your letter dated September 27, 2011, to Kevin Allen, Treasurer of Citizens United Political Victory Fund (?CU-PVF?), requesting additional information regarding CU-PVF's Amended April 2011 Monthly Report, which

covers the period March 1, 2011 through March 31, 2011. Your letter requests clarification/correction of two matters. First, you state that the report is missing or has incomplete occupation and/or employer information for several of the contributions disclosed in Schedule A. You request that CU-PVF either (a) file an amended report providing the missing information or (b) provide a detailed description of CU-PVF's procedures for complying with the Commission's ?best efforts? requirements for obtaining the contributor identifier information required to be disclosed.

CU-PVF is not filing an amended report at this time because (1) the information disclosed on the report is either the information that the contributor provided to CU-PVF or a statement indicating that the information has been requested from the contributor pursuant to the Commission's ?best efforts? requirements, and (2) , as set for below, CU-PVF's treasurer believes that the procedures CU-PVF has adopted for obtaining and disclosing the identity of its contributors fully complies with the Commission's ?best efforts? requirements. Those procedures are as follows:

First, a request for accurate and complete identification is made at the time of the initial solicitation to a prospective contributor. For written solicitations (e.g. direct mail) a response form is included listing the contributor's name and address as it appears in Citizens United's membership records. The form includes a request that the contributor correct any inaccurate or missing information. The form also asks that the contributor provide his or her occupation and employer. For oral solicitations (e.g. telemarketing), the request is made orally as part of the solicitation script. In either case, the request includes a statement that Federal law requires CU-PVF to use its best efforts to obtain and report the required information for any person who contributes in excess of \$200 in a calendar year.

Second, a follow-up letter acknowledging the contribution is promptly mailed to each contributor requesting the required information. This letter is to be mailed within 30 days of receipt of a contribution and advises the contributor that Federal law requires CU-PVF to use best efforts to obtain the required information from all persons who contribute in excess of \$200 in a calendar year. The follow-up letter includes a form for providing the information. Enclosed with the follow-up letter and form is a pre-addressed envelope for returning the completed form to CU-PVF.

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Third, if a contributor returns the completed form prior to the deadline for completing the FEC Report for which the information is required to be disclosed, the information is included in the initial report. If the information is provide subsequent to the filing of the initial report, it is CU-PVF's policy to file an amended report disclosing the newly obtained information on or before the due date for the next regularly schedule report.

CU-PVF believes that the procedures described above fully conform with both the letter and spirit of the Commission's best efforts requirements. However, if you believe there is a deficiency in the process please let me know so that we can discuss any steps necessary to rectify the matter.

The second matter addressed in your letter seeks clarification of payments for Telemarketing Fees that are disclosed on Schedule B of the Report as operating expenditures. You state that if a portion or all of these expenditures were for public communications or voter drive activity containing express advocacy, an amended report should be filed listing the expenditures as either an in-kind contribution on Schedule B or an independent expenditure on Schedule E.

We do not believe that an amended report is necessary. The telemarketing fees at issue in the Amended April 2011 Report are properly disclosed as operating expenditures because they were not for services relating to communications with the public that contain express advocacy; rather, the fees were for communications with Citizens United members that solicited contributions to CU-PVF. Although 11 CFR 114.5(b) allows Citizens United to pay those costs directly from its general treasury funds, the organization opted instead to have them paid by CU-PVF and reported as operating expenditures.

Please contact me if you should have any further questions regarding this matter. Thank you.

Sincerely,

Michael Boos
Vice President &
General Counsel
Citizens United

cc: Kevin Allen, Treasurer, CU-PVF
